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International Patent & Trademark Law

Established 1903

Emil Bönnelycke
1875-1936

June 23, 2009

William H. Young
1902-1958



Examiner C. Ostrup
Art Unit 3771
United States Patent and Trademark Office
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Irvin S. Thompson
1903-1979

U.S. Application No. 10/535,149
Our Ref.: 6501-1049

Dear Examiner Ostrup

Thank you for granting a telephonic interview on Thursday at 11 AM. Your time and consideration of the above-identified application are greatly appreciated.

As you requested, please find a proposed amendment and the PTOL-413 transmitted hereafter.

I look forward from hearing from you and Supervisory Examiner Yu on Thursday.

Kind regards,

Robert A. Madsen, Reg. No. 58,543
Attachments

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DRAFT. DO NOT ENTER

1. (currently amended) An inhaler device including comprising:

an inlet for air,

a mouthpiece for connection to the breathing system of a human,

[[and]]

a permanent magnet having magnetic field above 1500 gauss between
about 1,500 gauss to 3,000 gauss between the inlet and the mouthpiece, the
permanent magnet being located in a stream of inhaled air that passes through the
inhaler device, and

paramagnetised oxygen proximate to the magnet.

2-5. (cancelled)

6. (new) An inhaler device comprising:

a body having at least a first and a second opening, the first opening is
an inlet for air intake, the second opening is a mouthpiece for connecting to the
breathing system of a human, and

a permanent magnet having magnetic field of at least 1500 gauss
between about 1,500 gauss to 3,000 gauss and positioned inside the body between
the inlet and the mouthpiece,

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DRAFT. DO NOT ENTER /CTO/

wherein the inlet, the permanent magnet, and the mouthpiece are arranged so that a stream of air from the inlet travels through the inhaler device, past the magnet, to the mouthpiece, and

the magnetic field induces paramagnetism to oxygen in said stream of air such that a zone proximate to the magnet includes paramagnetised oxygen.

7. (cancelled)

8. (new) The inhaler device of claim 6, wherein the mouthpiece is arranged together with the inlet to allow a user to draw air through the inhaler device.

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PTO-844-5A (06-09)
Approved for use through 06/30/2006. OMB 0651-0001
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Applicant Initiated Interview Request Form						
Application No.: <u>10/536,148</u>		First Named Applicant: <u>Bryan Barker Speight</u>				
Examiner: <u>Clinton Ostrop</u>	Art Unit: <u>3771</u>	Status of Application: <u>Final</u>				
Tentative Participants:						
(1) <u>Clinton Ostrop</u>		(2) <u>Justine Yu</u>				
(3) <u>Robert Madsen</u>		(4) _____				
Proposed Date of Interview: <u>June 26, 2009</u>			Proposed Time: <u>11 AM</u> AM/PM			
Type of Interview Requested:						
(1) <input checked="" type="checkbox"/> Telephone		(2) <input type="checkbox"/> Personal		(3) <input type="checkbox"/> Video Conference		
Exhibit To Be Shown or Demonstrated:			<input type="checkbox"/> YES		<input checked="" type="checkbox"/> NO	
If yes, provide brief description: _____						
Issues To Be Discussed						
Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed	
(1) <u>Written descript.</u>	<u>1, 6-8</u>	<u>n/a</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(2) <u>Indefiniteness</u>	<u>1,6 and 8</u>	<u>n/a</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(3) <u>Obviousness</u>	<u>1, 6-8</u>	<u>Wakuta</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(4) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input checked="" type="checkbox"/> Continuation Sheet Attached						
Brief Description of Argument to be Presented:						
The attached Proposed Amendment overcomes the rejections.						
<p>An interview was conducted on the above-identified application on _____.</p> <p>NOTE: This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).</p> <p>This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.</p>						
<u>Robert A. Madsen</u> Applicant/Applicant's Representative Signature <u>Robert A. Madsen</u> Types/Printed Name of Applicant or Representative <u>58-543</u> Registration Number, if applicable			<u>Examiner/SPE Signature</u>			

This collection of information is required by 37 CFR 1.157. The information is collected to obtain or retain a benefit by the public, which is to be used by the USPTO in processing an application for patentability, as provided by 35 U.S.C. 133 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. This will vary depending upon the individual case. Any comments to the cost of this collection may be directed to the Office of the General Counsel, USPTO, 1800 375 L Street, NW, Washington, DC 20591. Send Faxes or COMPLETED F-ORMS TO: 202-707-3000, 202-707-3001, Correspondence for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. If you have comments in completing the form, call 1-800-PTO-9797 and select option 1.